

CITY OF HELENA
REGULAR CITY COMMISSION MEETING
September 23, 2019 - 6:00 P.M.
City Commission Chambers, Room 330

Time & Place A regular City Commission meeting was held on Monday, September 23, 2019 at 6:00 p.m., in the City Commission Chambers, 316 N. Park Avenue, Helena, Montana.

Members Present Mayor Collins requested Interim City Clerk Clayborn call roll call: City Attorney Jodoin, Manager Cortez, Commissioner Haladay, Commissioner Noonan all responded present. Commissioner Wicks and Commissioner O'Loughlin were excused.

Pledge of Allegiance Mayor Collins asked those persons present to please stand and join him in the pledge of allegiance.

Minutes The minutes of the September 9, 2019 Regular City Commission meeting were approved as submitted.

Presentations PRESENTATIONS

Staff Report A. Confirmation of nine (9) Probationary Firefighters

Interim Fire Chief Ken Wood reported after completing one year of probationary service, he would like to present nine firefighters for confirmation.

The following firefighters were presented to the Commission for the confirmation oath: Seth Banham, Cody Edens, Isaac Scansen, Dylan Braach, Austin Shupe, Paxton Miller-Fitzpatrick, Jeffrey Murphy, Michael Fobert & Joseph Pigeon.

Mayor Collins read the oath of office to the firefighters and presented them with a certificate of completion.

Discussion Commissioner Haladay thanked the firefighters for their service, and efforts made to garner support from the public to support additional funding for the firefighter positions added to department. Commissioner Noonan and Mayor Collins both offered similar sentiments and congratulations.

Public Comment Mayor Collins asked for public comment. None was received

Proclamations PROCLAMATIONS

A. Fire Prevention Week

Mayor Collins presented a proclamation declaring the week of October 6th, 2019, Fire Prevention Week.

Public Comment Mayor Collins asked for public comment. None was received

Board Appointments BOARD APPOINTMENTS

A. ADA Compliance Committee, City-County Parks Board, City-County Planning Board, Zoning Commission

Mayor Collins recommended the following appointments:

ADA Compliance Committee Appointment of Gina Lytle, representative of the disabled community, to a first term on the ADA

Compliance Committee. Term will begin upon appointment and expire on September 1, 2022.

City-County Parks Board

Reappointment of Steve Baiamonte to a second term on the City-County Parks Board. Term will begin upon appointment and expire on September 30, 2022.

City-County Planning Board

Appointment of Morgan Anderson to a first term on the City-County Planning Board. First term will begin upon appointment and expire on September 1, 2022.

City Zoning Commission

Reappointment of Michael McCabe, Rebecca Harbage and Mark Ophus (Alternate Member) to second terms on the Zoning Commission. Terms will begin upon appointment and expire September 30, 2022.

Public Comment

Mayor Collins asked for public comments. None was received.

Motion

Commissioner Haladay moved approval of the board appointment as outlined above. Commissioner Noonan seconded the motion. Interim City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Noonan voted aye, and Mayor Collins voted aye. **The motion carried, 3-0.**

Consent Agenda

CONSENT AGENDA:

- A. Claims
- B. Resolution declaring various vehicles and equipment owned by the City of Helena to be surplus personal property and authorizing the City Manager to dispose of the property.

City Manager Cortez recommended approval of the consent agenda, items A-B.

Public Comment

Mayor Collins asked for public comment, on items A - D. None was received.

Motion

Commissioner Noonan moved to approve the claims and consent agenda items, A – B. Commissioner Haladay seconded the motion. Interim City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Noonan voted aye, and Mayor Collins voted aye. **The motion carried, 3-0.**

Communications from City Commissioners COMMUNICATIONS/PROPOSALS FROM CITY COMMISSIONERS

Report of the City Attorney

REPORT OF THE CITY ATTORNEY

City Attorney Jodoin reported the City of Helena's Amicus Brief for the TenMile Watershed lawsuit is due on Friday and any comments from the Commission would be appreciated by Wednesday. Attorney Jodoin also announced an US Department of Justice official will be visiting the Victim Services Program, as part of a grant funded program under the purview of the City Attorney department. Mr. Jodoin invited the

Commission and any members of the public who were interested in attending at 9:00am Thursday.

**Report of the City
Manager**

REPORT OF THE CITY MANAGER

City Manager Cortez reported the Public Information Officer attended an area consortium recently regarding the Complete Count Committee. Manager Cortez stated she would be having an informal meeting with the publisher of the Independent Record. Public commentary is still being reviewed and collected regarding the Parking the downtown area. While some individuals were receiving tickets at this point the City was working with these individuals given the early days of the new Parking policies. Finally, Carroll College football has won their first two games at this point in the season.

**Report from the
HCC**

REPORT FROM THE HELENA CITIZENS COUNCIL

No report given.

Regular Items

REGULAR ITEMS

- A. CONSIDER A RESOLUTION OF INTENTION TO VACATE 1ST STREET R/W BETWEEN RALEIGH AND HOBACK STREET ALONG WITH A SMALL SECTION IN THE SOUTHERN PORTION OF HOBACK STREET WHERE HOBACK STREET R/W IN THE EASTERLY ADDITION TERMINATES INTO THE COURTHOUSE ADDITION.

Staff Report

Interim Public Works Director Ryan Leland reported Bonnie Adee, Applicant, owner of residence at 807 2nd Street, is requesting the City of Helena to vacate a section of 1st Street between Raleigh and Hoback Right-of-Way (ROW). The legal description for the subject area is part of two additions and is described as follows:

North half of 1st Street: Adjacent to Lots 11-20 in Block 567 of the Easterly Addition. COS# 1000733 South Half of 1st Street: Adjacent to Lot 1A and Lot 2A in Block 1A of the Amended Plat of the Courthouse Addition. COS#3255657 Vacate small section in the southern portion of Hoback Street where Hoback Street R/W in the Easterly Addition terminates into the Courthouse Addition.

The ROW is platted but undeveloped. If the ROW is vacated, 1/2 of the ROW will go to each of the adjacent properties and a transfer fee equal to the taxable value of the property will be assessed for the vacation. All of the adjacent property owners are wanting and willing pay for the ROW. This includes the City of Helena Parks Department.

The applicant and additional adjacent owners listed on the application wish to vacate the subject right of way. The proposed closed and vacated portion of 1st Street and portion of Hoback Street are split amongst adjacent owners as follows:

The calculated square foot price is \$4.53.

Crowley/Adee- Lots 11-14 Block 567 Easterly Addition 5877sf total transfer fee \$26,626.89

Lamb- Lot 2A Block 1A Court House Addition- Hoback portion 1443.94 SF total transfer fee \$6006.79

Lamb- Lot 1A-1 Block 1A Court House Addition- 1st Street frontage total transfer fee 8432.6 sf total transfer fee \$38,199.45

Nimick - Lot 2A Block 1A Court House Addition- 1st Street frontage total transfer fee 7492.45 sf total transfer fee 33,940.79

City of Helena also owns open space lands adjacent to this and will receive an additional 8432.6 SF of additional open space due to this vacation. Final amount and square footage will be determined when the amended plat is to be filed and recorded.

Public Comment

Mayor Collins asked for public comment.

Frank Crowley, one of the petitioners for the vacation, spoke in favor of the vacation and asked the Commission to approve the motion.

Motion

Commissioner Haladay moved to approve a Resolution of Intention to vacate 1st Street R/W between Raleigh and Hoback Street along with a small section in the southern portion of Hoback Street where Hoback Street R/W in the Easterly Addition terminates into the Courthouse Addition and set a public hearing for October 21st 2019. Commissioner Noonan seconded the motion. Interim City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Noonan voted aye, and Mayor Collins voted aye. **The motion carried, 3-0.**

Public Hearings

PUBLIC HEARINGS

A CONSIDER A RESOLUTION AUTHORIZING THE CITY OF HELENA TO APPLY FOR A COMMUNITY DEVELOPMENT BLOCK GRANT SMALL-SCALE SINGLE-FAMILY HOUSING REHABILITATION GRANT ADMINISTERED BY THE MONTANA DEPARTMENT OF COMMERCE AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY DOCUMENT NECESSARY FOR THE GRANT APPLICATION AND AWARD.

Staff Report

City Planner Ellie Ray reported following discussions at the September 4, 2019 City Administrative Meeting, the City Commission is being asked to consider the submission of an application for a Single-Family Housing Rehabilitation Community Development Block Grant (CDBG) to the Montana Department of Commerce. This application, if successful, will allow the city to access funding for the construction and rehabilitation of owner-occupied single-family dwelling units that specifically serve low- to moderate-income households in the community. This application will help address critical deferred maintenance issues in the city's housing stock by allowing residents to borrow necessary funds at zero-percent 15-year loan or deferred loan terms (dependent on repayment ability). These construction and rehabilitation activities will ensure the longevity of our existing housing stock for years to come and have the support of partner agencies that will also assist in project efforts where possible (ex: Habitat for Humanity, Rocky Mountain Development Council). If successful, the city will be allowed to access loan funds for qualified applicants from the Montana Department of Commerce for a period of five years. All loan activities will address necessary public health and safety concerns at eligible properties to ensure the housing stock is viable for years to come. The city will work with local partner agencies to assist with weatherization or accessibility issues, where appropriate and practical. The loan program will work by securing applications from Helena residents, having staff determine applicant eligibility, and obtaining consent from applicants to proceed with their application. A property inspection, environmental review, and development of a scope of work will follow, paving the way for application submission to MDOC for approval and contract execution. NeighborWorks Montana will then complete all underwriting activities on

behalf of the city and in coordination with the applicant. The applicant will select a qualified contractor that meets all CDBG grant program requirements. Upon completion of work, city staff will submit a request for payment for contractors to MDOC, with final payment to be made upon successful completion of a Housing Quality Standards (HQS) inspection. The City's application for Single-Family Housing Rehabilitation Community Development Block Grant (CDBG) funding, which allow community residents earning at or below 80% of Area Median Income (classified as low-income by HUD and calculated at \$66,850 for a 4-person household in Lewis and Clark County in 2019) to access revolving loan funds for construction or rehabilitation of single-family dwelling units.

Preservation of the city's housing stock, in alignment with the goals and policies of the 2011 City of Helena Growth Policy. This grant application would further the following Growth Policy objectives: 1) support and expand the supply of housing for all residents especially lower income, senior citizens, persons with disabilities, homeless, and others with special needs; 2) encourage the preservation and rehabilitation of the existing housing stock; 3) work with non-profit agencies to maximize housing resources for low to moderate-income residents; 4) conserve and enhance the character, quality, and livability of the community by preserving and improving distinctive neighborhoods that offer diverse housing opportunities; 5) encourage the development of housing located in proximity to physical, technological, social, and economic infrastructure; and 6) develop and preserve housing to minimize impacts on natural resources and the physical environment and to maximize social resources while meeting emerging needs.

The grant application will promote retention of housing stock through rehabilitation activities, which reduces housing development waste when compared with site (re)development. Project activities will be adjacent to city rights-of-way and other infrastructure, thereby reducing impacts on natural resources in unincorporated areas.

Public Testimony

Mayor Collins declared the public portion of the hearing open for public testimony. There being no further public testimony, Mayor Collins closed the public hearing

Motion

Commissioner Haladay moved to approve a resolution authorizing the city of Helena to apply for a community development block grant small-scale single-family housing rehabilitation grant administered by the Montana Department of Commerce and authorizing The City Manager to execute any document necessary for the grant application and award.

Commissioner Noonan seconded the motion.

Discussion

Commissioner Haladay thanked all those involved in developing this new project through this program and hoped this would be the first of many projects of its kind going forward.

Commissioner Noonan thanked the Housing Task force which has been integral in this project and many others and he thanked all involved for their efforts.

Vote

Interim City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Noonan voted aye, and Mayor Collins voted aye. **The motion carried, 3-0.**

Public Communications PUBLIC COMMUNICATIONS

Adjournment There being no further business to come before the City Commission, the meeting adjourned at 6:37 p.m.

Meetings of Interest MEETINGS OF INTEREST

City-County Joint Work Session Meeting – October 1, 2019 - 4:00 p.m. - Room 326, City-County Building

Regular City Commission Meeting – October 7, 2019 - 6:00 p.m. - Commission Chambers, City-County Building

/S/ WILMOT COLLINS
MAYOR

ATTEST:

/S/ DANNAI CLAYBORN
CLERK OF THE CITY COMMISSION